

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Demian T. Schatz

Docket No. 5:13-MJ-1703-1

Petition for Action on Probation

COMES NOW Erica W. Foy, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Demian T. Schatz, who, upon an earlier plea of guilty to Level 5 DWI, 18:13-7210, was sentenced by the Honorable Kimberly A. Swank, U.S. Magistrate Judge, on April 5, 2017, to 12 months probation under the conditions adopted by the court.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

The defendant obtained a mental health assessment while on Pretrial Supervision and the treatment provider found significant mental health symptoms. Weekly therapy was recommended in an attempt to help the defendant cope with his issues. We, therefore, recommend adding a mental health condition to his probation conditions, so that he may participate in ongoing treatment. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

In addition, the defendant has tested positive on two occasions: April 24, 2017, for cocaine, morphine, and hydromorphone and May 30, 2017, for cocaine (diluted specimen). Schatz has failed to attend his substance abuse treatment sessions and has failed to report for scheduled drug screens. Probation will continue to work with him in attempting to receive the necessary treatment to deal with his addiction issues.

PRAYING THAT THE COURT WILL ORDER that probation be modified as follows:

1. The defendant shall participate in a program of mental health treatment, as directed by the probation office.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/Jeffrey L. Keller

Jeffrey L. Keller
Supervising U.S. Probation Officer

/s/Erica W. Foy

Erica W. Foy
U.S. Probation Officer
310 New Bern Avenue, Room 610
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Executed On: June 8, 2017

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ORDER OF THE COURT

Considered and ordered this 8th day of June, 2017, and ordered filed and made a part of the records in the above case.

Kimberly A. Swank
Kimberly A. Swank
U.S. Magistrate Judge